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Message Text

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64
ORIGIN ARA-10

INFO OCT-01 SS-14 ISO-00 H-03 L-02 NSC-07 NSCE-00 CIAE-00

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DRAFTED BY ARA/CEN/CR: JGSULLIVAN:RMC
APPROVED BY ARA/CEN - DAVID LAZAR
H; SDANDERSON (DRAFT)
H; SDANDERSON (DRAFT)
---------- 091018
P 301919Z MAY 74
FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE PRIORITY

C O N F I D E N T I A L STATE 113377

LIMDIS

E.O. 11652: GDS
TAGS: PFOR PGOV ES
SUBJECT: PRESS CRITICISM

1. RELEVANT PORTIONS OF SRFC HEARING FOLLOW. (ADDITIONAL) TEXT IS BEING POUCHED). EMBASSY MAY PROVIDE THESE TO FACIO AND OTHERS AS DESIRED. DOES EMBASSY SEE ANY WISDOM IN PROVIDING TEXT TO SELECTED NEWSPAPERS?

2. BEGIN QUOTE: SENATOR JAVITS. OKAY. MY LAST QUESTION AND I AM THROUGH, IS ABOUT VESCO IN COSTA RICO. DO YOU HAVE ANY IDEAS AS TO WHAT WILL BE YOUR DUTIES AS AMBASSADOR IN THAT REGARD? HE D IS CERTAINLY DESIRED HERE FOR MANY REASONS. MR. ANDERSON: YES, HE IS. MR. VESCO IS A FUGITIVE FROM UNITED STATES JUSTICE. THE UNITED STATES GOVERNMENT MADE ONE ATTEMPT TO EXTRADITE HIM WHICH FAILED. THE INVOLVEMENT OF THE UNITED STATES AMBASSADOR IN THAT PROCESS I THINK WOULD BE INDICATIVE OF THE AMBASSADOR TO COSTA RICA'S INVOLVEMENT IN SUBSEQUENT EXTRADITION REQUESTS. THE INITIAL DECISION IN THE FIRST REQUEST WAS MADE BY THE PROSECUTORS IN NEW YORK. THEY DEALT WITH PEOPLE AT THE
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JUSTICE DEPARTMENT AND DETERMINED WHICH CHARGE VESCO WOULD

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BE EXTRADITED ON. IT THEN WENT TO THE LEGAL ADVISER OF THE STATE DEPARTMENT WHO DRAFTED A NUMBER OF PAPERS. THOSE PAPERS WERE PRESENTED TO THE EMBASSY. THE EMBASSY AND THE AMBASSADOR THEN BECAME INVOLVED IN SEEKING LOCAL COUNSEL

AND IN PRESENTING THOSE PAPERS TO THE LOCAL COURT. THE AMBASSADOR'S INVOLVEMENT WAS FAIRLY DE MINIMUS IN THE FIRST REQUEST. I WOULD DEEM SUBSEQUENT INVOLVEMENT TO BE ABOUT THE SAME. THE REAL DECISIONS ARE MADE UP HERE. IS THAT RESPONSIVE AT ALL? SENATOR JAVITS. DO YOU KNOW VESCO? MR. ANDERSON. I NEVER MET HIM. SENATOR JAVITS. AND DO YOU HAVE ANYTHING IN YOUR MIND WHATEVER THAT WOULD PREVENT YOU FROM ACTING ALL OUT TO THE FULL TO ENDEAVOR TO GET HIM EXTRADITED, IF THAT WERE THE DEMAND OF ANY COURT OF THE UNITED STATES? MR. ANDERSON. NONE WHATSOEVER. AND I MIGHT ADD, SENATOR, THAT IF UNDER ANY CIRCUMSTANCE SUCH A DEMAND WERE MADE OF ME I WOULD CERTAINLY RESPOND IN THE NEGATIVE, AND IF IT WAS MY JUDGMENT THAT I COULD NO LONGER FUNCTION, I WOULD RESIGN AND I WOULD PUBLICLY STATE THE PRESSURES THAT WERE BROUGHT TO BEAR UPON ME. SENATOR JAVITS. THANK YOU.

3. SENATOR PERCY. I HAVE JUST THREE OR FOUR MORE QUESTIONS. CARRYING ON FOR SENATOR JAVITS ON COSTA RICA, CAN YOU TELL US WHAT, IN YOUR JUDGMENT, THE ATTITUDE OF THE COSTA RICAN GOVERNMENT IS WITH RESPECT TO EXTRADITING MR. VESCO? MR. ANDERSON. SENATOR, I THINK I CAN BEST ANSWER THAT BY SAYING THAT THE EXTRADITION PROCESS IS A LEGAL PROCESS. WE HAVE A TREATY WHICH WAS NEGOTIATED IN 1922, AN EXTRADITION TREATY BETWEEN THIS COUNTRY AND COSTA RICA. BOTH COUNTRIES ARE BOUND BY THAT PROCESS. I THINK ON THE OFFICIAL LEVEL THE ATTITUDE OF THE GOVERNMENT OF COSTA RICA IS THAT IF WE SEEK EXTRADITION AND THEIR COURTS, WHICH ARE INDEPENDENT COURTS, FIND THAT THERE ARE ADEQUATE GROUNDS HE CAN BE EXTRADITED. THE PROBLEM WITH THE FIRST CASE WAS A FINDING BY THE COURT DOWN THERE, AND I STRESS THAT IT IS AN INDEPENDENT JUDICIARY, THERE WAS NO ATTEMPTED FRAUD PORTION IN THE TREATY OF1922 AND IT WAS THE COURT'S FINDING SINCE THE EXTRADITION AGREEMENT WAS BASED ON AN ATTEMPTED FRAUD PROVISION THAT THAT WASN'T COVERED BY THE CONFIDENTIAL

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TREATY. SENATOR PERCY. IN VIEW OF YOUR WORK AT THE WHITE HOUSE AND FOR THE COMMITTEE TO RE-ELECT THE PRESIDENT, GIVEN THE VESCO TIE INTO THE '72 CAMPAIGN, DOES YOUR NOMINATION IN YOUR JUDGMENT TO BE AMBASSADOR TO COSTA RICA PRESENT A CONFLICT OF INTEREST OF ANY KIND. MR. ANDERSON. I CERTAINLY DO NOT THINK IT DOES, SENATOR. SENATOR PERCY. I READ NOW FROM AN EVANS AND NOVAK SYNDICATED COLUMN OF APRIL 21- 1974- "COSTA RICA'S REFUSAL TO EXTRADITE VESCO

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IS AN INTERNATIONAL EMBARRASSMENT REQUIRING AN EXPERIENCED HAND IN THE U.S. EMBASSY. INSTEAD, MR- NIXON LEANS TOWARD STANTON D. ANDERSON, A REPUBLICAN ACTIVIST UTTERLY LACKING DIPLOMATIC EXPERIENCE. ALTHOUGH FORMER COLLEAGUES AT THE WHITE HOUSE AND CREEP DISAGREE ABOUT ANDERSON'S TALENTS, ALL ARE AMAZED AT HIS PROSPECTIVE

AMBASSADOR'S POST." NOW IN VIEW OF THESE STATEMENTS ON PUBLIC RECORD, WHAT ASSURANCE CAN YOU GIVE THIS COMMITTEE THAT YOU WILL DO EVERYTHING IN YOUR POWER TO HAVE VESCO RETURNED TO THE UNITED STATES TO STAND TRIAL?
MR. ANDERSON. SENATOR, I THINK I GAVE THOSE ASSURANCES TO SENATOR JAVITS. I WOULD CERTAINLY REAFFIRM THEM NOW. IT IS MY JUDGMENT THAT THE GENTLEMEN IN QUESTION IS A FUGITIVE FROM UNITED STATES JUSTICE. AS A CITIZEN, AND AS A LAWYER I WOULD VERY MUCH LIKE TO SEE HIM RETURNED TO THIS COUNTRY FOR DUE PROCESS TO TAKE ITS COURSE. I MUST POINT OUT, HOWEVER, THAT WE HAVE TO GO THROUGH THIS PROCESS BY THE LAWS OF BOTH COUNTRIES AND I AM A MAN OF LAWS AND I THINK THAT IS THE WAY WE HAVE TO PURSUE IT. END OF QUOTE.
BROWN

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